

DEFENSE OF THE INQUISITION

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Originally published in the November 1999 issue of *The Angelus* magazine, this article is a timely defense of a much misunderstood chapter of history in the Catholic Church

The alleged horrors of the Inquisition generally come at the head of the list of the arguments of the enemies of the Church. Voltaire spoke of "*that bloody tribunal, that dreadful memorial to monkish power.*"¹ The black legend of the Inquisition has impregnated our minds to a point where, today, the majority of Catholics are incapable of defending this phase of the history of the Church. At best, they justify it by invoking the mores of the period which were so much more barbarous than those of our "enlightened" era. More often, they join the chorus of the anticlericals to attack the tribunal of the Holy Office.

In his letter on the jubilee of the Year 2000, the Holy Father himself denounces the Inquisition:

Another painful chapter of history to which the sons and daughters of the Church must return with a spirit of repentance is that of the acquiescence given, especially in certain centuries, *to intolerance and even the use of violence* in the service of truth. (§35)²

However, the saints who lived in the era of the Inquisition never criticized it, except to complain that it did not repress heresy severely enough. The Holy Office scrutinized the spiritual writings of St. Teresa of Avila to see if this might be a case of a false mystic, because there were at that time many false mystics among the Alumbrados of Spain.³ Far from seeing this as a system of intolerance, the saint relied in all confidence upon the judgment of the tribunal, which, in fact, found nothing heretical in her writings. Now the saints have never been afraid to denounce the abuses of the clergy: indeed that is one of their principal functions. How does one account for the fact that they had nothing to say against the Inquisition? How does one account for the fact that the Church has canonized no less than four Grand Inquisitors: Peter the Martyr (d. 1252), John Capistran (d. 1456), Peter Arbues (d. 1485) and Pius V (d. 1572)? St. Dominic (d. 1221) had indeed been an associate of the tribunal of the legatine Inquisition.

In fact, criticism of the Inquisition by Catholic authors did not begin to appear until the 19th century, and then only among the liberal Catholics, since the ultramontanes [clerics believing most strongly in and supporting most vigorously papal policy in ecclesiastical and political matters —*Ed.*] were vigorously defending the tribunal.⁴ Prior to the French Revolution, anti-inquisitorial discourse was the province of the

Protestants. The historian Jean Dumont, who at the present time is the best apologist of the Inquisition,⁵ points out that the engravings of the 16th century, which illustrate scenes of the *auto-da-fé* ["act of faith," usually public, at which those tried by the Inquisition had their sentences pronounced —*Ed.*] habitually depict gabled buildings. This type of architecture was found at that time in the "Low-Countries" and in the valley of the Rhine, but not in Spain. This detail reveals the Protestant origin of the engravings. In effect, the black legend of the Inquisition is the product of Protestant propaganda, which was passed down to the 18th century by the philosophy of the "enlightenment," to the 19th century by Masonic anticlericalism, and to the 20th by "Christian-democracy."

Nevertheless, the most serious historical studies have henceforth recognized that the Inquisition was an honest tribunal, which sought to convert heretics more than to punish them, which condemned relatively few people to the flames, and which only employed torture in exceptional cases.⁶ However, the anti-inquisitorial myth still circulates in public opinion. Voltaire said that a lie repeated a thousand times becomes a truth. But the fundamental reason for the persistence of the myth is other than this. One will work in vain in proving that the Inquisition was not as terrible as it was believed to be. **That will not convince the modern mind, since it is the principle of religious intolerance as such which is unacceptable today.** Thus, to understand the historical event of the Inquisition, one must first understand the traditional doctrine of the Church on religious liberty.

The Power of Religious Constraint

Vatican Council II proclaimed the principle of religious freedom:

Freedom of this kind means that all men should be immune from coercion on the part of individuals, social groups and every human power so that, within due limits, nobody is forced to act against his convictions in religious matters in private or in public, alone or in association with others. (*Dignitatis Humanae*, art. 2).

As opposed to this doctrine, it is evident that the very principle of the Inquisition, which made heresy a crime of common law, can only be rejected.

However the principle of religious liberty is in complete rupture with the tradition of the Church. *The Syllabus of Errors* (1864) particularly **condemns** the following propositions:

§24) The Church has not the power of using force, nor has she any temporal power direct or indirect.

§77) In the present day it is no longer expedient that the Catholic religion should be held as the only religion of the State, to the exclusion of all other forms of worship.

§79) Moreover, it is false that the civil liberty of every form of worship, and the full power, given to all, of overtly and publicly manifesting any opinions and thoughts whatsoever, conduce more easily to corrupt the morals and minds of the people, and to propagate the plague of indifferentism.

The doctrine of the Syllabus, which recognized for the Church and for the State a power of constraint in religious matters, was in accord with Catholic tradition. Pope Leo X (1513-1521) specifically condemned Martin Luther's proposition which affirmed that the Church did not have the right to burn heretics. Bellarmine and Suarez also defended the right of the Church to impose the death penalty, on condition that the sentence be executed by the secular power, that is to say by the State.⁷ St. Thomas Aquinas supported the use of constraint, even physical, to combat heresy. St. Augustine appealed to the Imperial [Roman] authority to suppress the Donatist schism by force. The Old Testament punished by death idolaters and blasphemers.

The power of constraint in religious matters rests upon the principle of the duties of the State toward the true religion. The divine law does not apply only to individuals; it must include all social life. Cardinal Ottaviani gave a summary of the consequences of this doctrine ⁸:

1. The social, and not merely the private, profession of the religion of the people;
2. Legislation inspired by the full concept of membership of Christ;
3. The defense of the religious patrimony of the people against every assault aimed at depriving them of the treasure of their faith and of religious peace. (*Duties of the Catholic State in Regard to Religion*, 1953, translated by Fr. Denis Fahey, C.S.Sp., p.7.)

The partisans of religious liberty always invoke forbearance and evangelical charity in opposition to the traditional doctrine of the Church on the duty of intolerance of false religions. This opposition is however merely a sophism. Certainly our Lord Jesus Christ was forbearing of sinners, but he showed an implacable severity toward the heretics of his time, that is the pharisees. The modernists avoid citing the passages of the Gospel which show the divine firmness. Isn't eternal damnation, which is the retribution for not believing (Mk. 16:16), an affliction far more dreadful than the worst punishment which a human tribunal could impose? St. John forbids even the welcoming of heretics (II Jn. 10). St. Paul miraculously blinds Bar-Jesus the magician and false prophet.⁹ St. Peter does not hesitate to strike dead Ananias and Sapphira who stole from the community (Acts 5:1-11).

In the true Gospel there is nothing to be seen of that moral and doctrinal laxity which the modernists qualify as "tolerance" or as "liberty of conscience." Christ was patient and merciful with repentant sinners, but He never recognized any right of error and

He exposed obstinate propagators of error to public condemnation. The Inquisition adopted an attitude toward heretics comparable to that of our Lord.

The anti-inquisitorial argument rests also upon a confusion between freedom of conscience and religious liberty. The act of faith must be freely consented to, since it constitutes definitively an act of love toward God. A forced love cannot be a true love. That is why the Church has always been opposed to forced conversions. Epinal's famous image of the Spanish monk who is presenting a crucifix to an Indian while the conquistador threatens him with his sword, is yet another fruit of Protestant propaganda. If a few princes had occasionally forced the baptism of conquered peoples, as, for example, Charlemagne did in Saxony (c. 780), this was done against the will of the Church.

But if the Church recognizes the freedom of conscience of the individual in his innermost heart, **if the individual is free, at the risk of his salvation, to refuse the faith, it does not follow that he can propagate his errors and thus lead other souls to hell.** So, the Church respects the freedom of conscience of individuals, but not the freedom of expression of false doctrines.

Nevertheless, while the Church denies in principle the right of public expression of false religions, she may not necessarily persecute them in practice. To avoid a greater evil, such as a civil war, the Church can tolerate the sects. This is what Henry IV did in promulgating the Edict of Nantes (1598) which granted a certain amount of liberty to the Protestants of France. But this tolerance does not constitute a right. When political circumstances permit it, the State must re-establish the exclusive rights of Catholicism, as Louis XIV did when he revoked the Edict of Nantes in 1685. Moreover, the pope congratulated the "Sun King" for taking this action.

Naturally, the traditional doctrine of the Church on religious intolerance is only applicable in those countries where the State is officially Catholic. The harmony between priesthood and empire is the normal order of things in societies. In this regard, the Inquisition was a model of agreement between the Church and the State, since the tribunal exercised a mixed jurisdiction, both religious and civil.

The central idea which justifies the Inquisition is that heresy professed publicly is a crime similar to any other crime against the common law.¹⁰ Religion being the foundation of morality, and morality being the foundation of the social order, it follows that a falsification of the faith leads, ultimately, to an offense against the social order. St. Thomas compared heretics to counterfeiters, who, during the Middle Ages, were condemned to the flames. Thus the State, as guardian of the public order, had the duty to combat heresy. But in its role of temporal power, it was not competent to distinguish between heresy and orthodoxy. For this, it had to rely upon an ecclesiastical tribunal.

Remember above all that the Inquisition did not concern itself with the private opinions of the heretics, but solely with the public propagation of the heresy. The

Inquisition did not commit any offense against the individual conscience, but acted solely against the exterior activities of the heretics.

To understand the logic of the Inquisition, one must free himself from the naturalistic mentality peculiar to contemporary culture. In the Christian societies of the "*Ancien Régime*," the supernatural life was more important than the natural. If one could condemn to death the assassin who killed the body, all the more reason could one condemn to death the heretic who was leading souls to hell, since the loss of eternal life is a far greater evil than the loss of temporal life.

Obviously, the vision of the world which underlies the logic of the Inquisition rests upon the principle of the objective reality of truth and error, on the certitude of the Catholic faith, and on the belief in eternal damnation. These ideas are quite simply incapable of being assimilated by modern minds steeped in relativism. Indeed, a relativist is incapable of understanding the phenomenon of the Inquisition. He will be scandalized by the barbarity of the past ages and by the obscurantism of the Church; he will be satisfied to make judgments inappropriate to the times being judged. But the historian must both understand and explain. To do this, he must get outside the systems of present day thought and put himself in the state of mind of the era which he is studying.¹¹ He will thus be able to understand the phenomenon of the Inquisition, and that will lead him almost inevitably, as we shall see, to justifying the action of this tribunal.

Generally, one makes a distinction between two kinds of Inquisition. There is the Medieval Inquisition (1233-18th century) and the Spanish Inquisition (1480-1834). Often, the former is qualified as the "pontifical" Inquisition, and the latter as the "royal," but this is not justified, since these tribunals were always joint creations of the Church and the State. It was some of the Catholic authors, well intentioned but poorly informed, who established this distinction, in order to place the responsibility for the "horrors" of the Inquisition on the kings of Spain rather than on the popes.¹² According to them, there was the good Medieval Inquisition which intended only to protect the faith, and the wicked Spanish Inquisition which aimed more at reinforcing royal absolutism. But this distinction is not well-founded. The Spanish Inquisition was neither more violent nor more political than the Medieval Inquisition. The two Inquisitions are better distinguished, one from the other, by the nature of the enemies that they had to combat: the Cathari and the Marranos.

The Cathar Peril

Catharism spread throughout all of Europe between the 11th and the 13th centuries. It thrived particularly in Languedoc [southern France], whence the name Albigensian (from the city of Albi) by which the heresy is also designated. The word "*cathar*" comes from the Greek "*katharos*" which means "*pure*." Actually Catharism is not properly called a Christian heresy; it is rather more another religion.¹³ Its origin remains obscure, but its doctrine strangely approaches that of the Gnostic and Manichaeian philosophies which circulated in the Middle East during the third and

fourth centuries. Note also that Freemasonry claims to be the inheritor of the initiation mysteries of Catharism, through the intermediary of the Templars.

According to the Cathari, two eternal principles divided the universe. The good had created the world of the spirits, and the bad the material world. Man was at the junction of the two principles. He was a fallen angel imprisoned in a body. His soul originated in the good principle, but his body was from the bad. Man's object was then to liberate himself from the material by a spiritual purification, which often necessitated a series of reincarnations.

Like all heretics, the Cathari claimed that their doctrine was the true Christianity. They kept the Christian terminology while distorting the essence of the dogmas. They said that the Christ was the most perfect of the angels and that the Holy Spirit was a creature inferior to the Son. They set in opposition the Old Testament, work of the bad principle, and the New Testament, work of the good principle. They denied the Incarnation, the Passion and the Resurrection of Jesus. They claimed that Redemption flowed from the evangelical teachings more than from the death on the cross.

The Cathari said that the Church was corrupt from the time of Constantine's donation, and they rejected all the sacraments. Definitively, Catharism was a form of paganism, with a glazing of Christianity, which resembled Buddhism in certain points.

The material world being intrinsically bad, Cathar ethics condemned all contact with matter. Marriage and procreation were forbidden because one must not collaborate in the work of Satan, who sought to imprison souls in their bodies. Since death constituted a liberation, suicide was encouraged. They applied the "*endura*," that is the withdrawal of nourishment, from the sick and even sometimes from infants, to accelerate the return of the soul to heaven. The Cathari refused to take oaths under the pretext that God should not be mixed into temporal affairs, and they condemned all forms of wealth.

Ultimately, the Cathar wished to attain a state of "disincarnation" similar to that of the fakirs [Hindu ascetics]. Moreover, the Cathari denied the State's right to wage war and to punish criminals.

Obviously, such a program would not attract many disciples, hence Catharism established two classes of faithful: the "perfects" and the simple believers. The first, few in number, were the initiated, who lived in monasteries and who entirely conformed to the Cathar moral philosophy. The second, the vast majority, were freed of all moral obligations, in sexual matters to be sure, but also in commercial matters.

The Cathari were not subject to the Christian rules which prohibited usury and which imposed the principle of the just price. Besides this, the simple believer had the

assurance of going to heaven if, before dying, he received the "*consolamentum*," a sort of extreme unction.

Debauchery, contraception, abortion, euthanasia, suicide, brutal capitalism, an intense materialism and salvation for all; it is astounding to realize to just what degree Cathar morality resembles that of present day liberalism.

The Cathari then taught a morality of two degrees; asceticism for the minority and libertinism for the majority, with, in addition, the guarantee of eternal salvation at little cost. Now one understands what made their doctrine so successful.

However, the vast majority of the people remained faithful to Catholicism. The Cathari were recruited essentially among the tradesmen of the cities. They were not very numerous, perhaps 5% to 10% of the population of Languedoc, but they were wealthy and powerful. Some of them practiced usury. The count of Toulouse [France], the most important lord of Languedoc, adhered to their cause.

Hence the Cathari were not poor sheep without defense, victims of a fanatical Inquisition. On the contrary, they formed a powerful and arrogant sect which propagated an immoral doctrine, oppressed the Catholic peasants and persecuted the priests. They even succeeded in assassinating the Grand Inquisitor, St. Peter Martyr [also known as St. Peter of Verona].

The Church displayed great patience before taking measures against the Cathar peril. The Albigensian heresies were condemned by the regional Council of Toulouse in 1119, but, until 1179, Rome was satisfied with sending preachers into Languedoc, men such as St. Bernard and St. Dominic. These missions were to have little success.

In 1179, the Third Lateran Council asked the civil authorities to intervene. The king of France, the king of England and the German emperor had already begun, on their own initiative, the suppression of Catharism, which was threatening the social order by its perverse doctrines on the family and the taking of oaths.

Let us remember that the feudal system rested upon the oath of one man to another. The negation of the value of the oath was as grave for medieval society as would be the negation of the authority of the law for modern society.

In addition, the Cathar preachers were encouraging anarchy and directing armed bands, which were called by different names in different countries ("*cotereaux*," "*routiers*," "*patarins*" etc.). These bands were sacking the churches, massacring the priests and profaning the Eucharist. The Cathari were as violent and sacrilegious as the Protestants of the 16th century or the revolutionaries of 1793. In 1177, the king of France, Philip Augustus, had to exterminate a band of 7000 of these madmen, and the bishop of Limoges had to march against 2000 anarchists. Identical scenes

occurred in Germany and in Italy. In 1145, Arnold of Brescia and his "*patarins*" succeeded in seizing Rome and driving out the pope. They proclaimed a republic and remained in power for ten years before being conquered and condemned to the flames by the German emperor Frederick Barbarossa. Catharism provoked social disorder throughout all of Europe and reigned in Languedoc.

In 1208, the men of Raymond VI, count of Toulouse, assassinated the pope's legate, Blessed Peter de Castelnau. Finally, Innocent III decided to preach the Albigensian Crusade. It was led by Frenchmen from the north under the command of Simon de Monfort. The Cathari resisted for four years (1209-1213) and took up arms again in 1221, which shows how strong they were. Their last fortified stronghold, Montségur, did not fall until 1244. But, for all that, Catharism did not disappear. It transformed itself into a secret society, a bit in the manner of Freemasonry.

As in all wars, the Albigensian Crusade was the occasion of excesses. The taking of Béziers (1209) was a veritable massacre. It was impossible to distinguish the Cathari from the Catholics among the population of the city. The papal legate, Arnold de Citeaux, was to have said, "*Kill them all. God will recognize his own.*" The words are probably apocryphal and can be filed under the panoply of anticlerical commonplaces. But they reflect all the same an undoubted fact: the Cathari, who had, for a long time, been drawing down the hatred of the people upon themselves because of their immorality and their practicing of usury, ran the risk of a general lynching.

But the Inquisition prevented this massacre by distinguishing between the heretics and the orthodox, and between the leaders and the followers, and by applying proportionate punishments to the diverse degrees of heresy.

Finally, the Inquisition was a humanitarian work. In severely punishing the leaders, she spared the mass of the Cathari, who were more victim of than responsible for the heresy. In ferreting out the heretics who had gone underground, she prevented the renaissance of Catharism and of all the social and moral disorders that this doctrine provoked.

One historian, although hostile to the Inquisition, has not hesitated to conclude that, in the Albigensian Crusade:

...[T]he cause of orthodoxy [Catholic] was not other than that of civilization and of progress....If this belief [Catharism] had recruited a majority of the faithful, it would have resulted in bringing Europe back to the savagery of primitive times.¹⁴

The Marranos Peril

Now let's leap ahead a few centuries and cross the Pyrenees [mountains marking the shared border of France and Spain —*Ed.*] in order to study the other threat which the Inquisition succeeded in countering: the Marranos peril.

Medieval Spain was divided into several kingdoms, Christian and Moslem. In 1469, the marriage of Isabella, queen of Castile, to Ferdinand, king of Aragon, facilitated the uniting of Spain and enabled the "*Reconquista*" to be completed by the taking of Grenada in 1492.

There also had been in Spain, since the beginning of the Middle Ages, a considerable Jewish community. The Jewish, Christian and Moslem societies were not partitioned, even though their relations were not always harmonious. A large number of Jews had converted to Catholicism but continued to practice Judaism in secret.

Recall that the Talmud allows Jews to pretend conversion in order to avoid persecution. These pseudo-Christian Jews were called "Marranos."

Contrary to that which one has been led to believe, the Marranos had not converted under menace, although Spain had experienced a wave of pogroms in 1391. The Marranos were seeking rather to infiltrate Christian society in order to control it. Their strategy of matrimonial alliances was very effective, since by the 16th century, the majority of Spanish noble families counted some Jews among their ancestors. Cervantes made allusion to this phenomenon of social promotion. Sancho Panza says to Don Quixote: "*I am one of the 'old-Christians' and, to become a count, that is sufficient...*" The latter replies: "*It is indeed too much.*" ¹⁵

Isabella of Castile was on the point of marrying a rich Marrano moneylender named Pedro Giron, but God did not allow it. The Castilian Shylock¹⁶ died on the road leading him to his fiancée, after having refused the Christian sacraments and blasphemed the Holy Name of Jesus.

The Marranos were not content to infiltrate the Spanish nobility; they also infiltrated the Church. In that era, to do the one was to do the other, since the upper ranks of the clergy generally came from the nobility. Some Marrano priests actually taught the Talmud in their churches. The bishop of Segovia, Juan Arias of Avila, gave a Jewish burial to his parents who had abjured Christianity. The bishop of Calahorra, Pedro d'Aranda, denied the Trinity and the Passion of Christ. The *Castillian Jewish Encyclopedia* states that the Marranos "*instinctively sought to debilitate Spanish Catholicism.*"

In his *Histoire des Marranes* (1959), the Jewish specialist Cecil Roth writes:

The vast majority of the "*conversos*" [another name for the Marranos] worked insidiously for its own interests within the different branches of the political and

ecclesiastical bodies, condemned, very often openly, the doctrine of the Church, and contaminated by its influence the entire body of the believers.

The Judaizing of Spanish Catholicism under the influence of the Marranos explains in part the popularity of Erasmus, precursor of Luther, in that country. At Rome, they seriously feared the emergence of a Jewish kingdom in Spain.¹⁷

A second problem superimposed itself on the religious problem. The Marranos had purchased for cash the public offices of several Spanish cities, crushing the old-Christian people under the weight of taxes and usury. There were some popular uprisings against the Marrano power at Toledo and Ciudad Real in 1449. The Marranos regained control of these cities in 1467 and massacred a great number of old-Christians. There were other bloodbaths in Castile (1468) and in Andalusia (1473). Spain was then on the threshold of a racial and religious civil war. This war, which would have been appalling, was avoided, thanks to the Inquisition.

Note that the Jewish converts were not always Marranos. Many among them were sincerely Catholic. Think of St. Teresa of Avila who was the granddaughter of a Marrano who, moreover, had been condemned by the Inquisition.

In fact, the truly converted Jews were the biggest enemies of the Marranos. The former rabbis Salomon Halevi, become bishop of Burgos under the name of Pablo de Santa Maria, and Jehoshua Ha-Lorqui, become Brother Jerome of the Holy Faith, wrote violent works against Judaism.

The historian Henry Kamen notes that the principal anti-Judaic polemicists were themselves ex-Jews. It was they who clamored for a tribunal of the Inquisition to distinguish between the false Jewish Christian converts and the sincere new Christians. The first Spanish Grand Inquisitor, Tomas de Torquemada, was himself a Jewish convert. In addition, it must be noted that many Marranos judaized simply through family tradition or by misappreciation of the Catholic faith. The Inquisition thus had to establish another distinction between the Marranos who willfully altered the integrity of the faith and those who were the victims of an insufficient catechization.

The Spanish Inquisition was instituted by a papal bull in 1478. The action of this tribunal protected the doctrinal integrity of the Spanish Church while avoiding a general pogrom. In face of the Marranos peril, as before in the case of the Cathar peril, the Inquisition sought to neutralize the leaders of the heresy in order to spare and retrieve the majority of the heretics.

The Inquisitorial Procedure

The inquisitorial procedure varied according to the country and the times, but a basic outline becomes clear. In a general manner, one can say that the Inquisition left the heretic every chance to extricate himself, and only severely punished the

"irreducibles," those who were pertinacious in their rejection of the Faith. The Inquisition sought to educate as much as to restrain. Its action sometimes was more of a work of eradicating popular superstitions than of battling against subversion. The judicial procedure was always accompanied by solemn preachings.

When the tribunal of the Inquisition arrived in a city, it proclaimed a time of grace of about a month, in the course of which the heretics could of their own volition confess their errors with the certitude of undergoing only light and secret spiritual penances. After this delay, the inquisitors would publish the edict of the faith which ordered all Christians, under penalty of excommunication, to denounce the heretics and those who protected them. The Inquisition did not have at its command a secret police or a network of spies. It counted upon the collaboration of the Catholic people, acting in this way more as a guardian of the social consensus than as an oppressive apparatus of the State.

The Catholic Inquisition did not resemble the totalitarian inquisitions of the 20th century. It did not intend to find traitors at any price ("counter-revolutionaries" or "collaborators"). It only aimed at the public propagators of the heresy, and above all at the leading men. The Inquisition was not concerned with the conscience of the heretics, but only with their exterior action.

The pope confided the Medieval Inquisition to the Dominicans and the Franciscans. These two newly founded orders gave serious guarantees of probity and sanctity. The theological and canonical knowledge of the inquisitors was remarkable. In fact, the Inquisition was entrusted to the finest flowers of the clergy of the era. Unlike the revolutionary tribunals of 1793, the tribunals of the Inquisition were never presided over by corrupted and debauched fanatics.

The Inquisitor did not render his judgment alone. He was assisted by some assessors (assistant judges), selected from the local clergy. The Inquisition was, in a way, the beginning of the institution of the jury system. In addition, the bishop audited the sentences and the accused could appeal to the pope. Thus the inquisitorial procedure was suitable, even by the standards of our modern criteria of justice. Contrary to what we have been told, the Inquisition frequently acquitted. Bernard Gui exercised the functions of Inquisitor at Toulouse with severity from 1308 to 1323. He pronounced 930 judgments, of which 139 were acquittals.

The accused could defend himself and even had recourse to a lawyer, however he could not always listen to the testimony of his accusers. Historians have severely condemned this secretive nature of the inquisitorial procedure. But one must put things in their proper context. The heretics that the Inquisition was pursuing were rich and powerful. They often had armed men at their command. Not rarely, witnesses for the prosecution and even inquisitors had been assassinated. To testify against the leaders of the Cathari or the Marranos could be as dangerous as testifying today against the mafia bosses. In 1485, the Spanish Grand Inquisitor, Peter Arbues, was stabbed at the holy altar by thugs in the employ of the Marranos. That is why the

Inquisition protected the anonymity of certain witnesses. It only had recourse to secret inquiry in cases of necessity. But the accused benefitted likewise from certain guarantees. Thus, at the beginning of the process, he could present a list of his personal enemies, and, if the anonymous witness was found on this list, his testimony was automatically rejected. In addition, the testimony of the secret accuser was given in the presence of the accused's lawyer. At that time, the lawyer was appointed by the tribunal, to make certain that he did not reveal the identity of the witness; but he did not fulfill his task any less conscientiously. Several Spanish jurists distinguished themselves by the quality of their pleadings for the defense before the tribunals of the Inquisition.

Note that the principle of anonymous denunciation is not, in itself, as unjust a procedure as it can appear to be. Today, in the province of Quebec, the "Law for the Protection of Children" allows anonymous denunciations.

The other great objection that is made of the Inquisition is of its use of torture during the interrogations. Once again, one must put things in their proper context. The inquisitorial interrogation bore no resemblance to the sadistic tortures of the Gestapo or the KGB. It was relatively mild in comparison to the torments that the courts of common law were imposing on criminals at that time. Three methods were employed:

1. The *Garrucha* was a pulley which worked a rope tied to the wrists of the accused. By it, he was raised to a certain height, and then brutally released in one stroke or in a series of successive jolts, which inflicted intense pain to the shoulders.
2. The *Potro* was a bench fitted with spikes to which the accused was attached by ropes. The torturer, by tightening the ropes, would gradually drive the spikes into the flesh of the accused.
3. The *Toca* was a funnel made of cloth which allowed water from a big jar to flow into the stomach of the accused, to the point of suffocation.

The inquisitorial procedure minutely regulated the practices of the interrogation. For an accused to be submitted to the torture, he had to be being prosecuted for a very grave crime, and the tribunal had to already have serious presumptions of his guilt. The local bishop had to give his agreement, which protected the accused from the abusive zeal of an occasional disreputable inquisitor. The interrogation could not be repeated. The instructions also stipulated the presence of a representative of the bishop and a doctor during the torture session, the prohibition of putting in danger of death and of mutilating, and the obligation of the doctor to render medical care immediately afterwards. The sick, the aged and pregnant women were exempted from interrogation under torture. Furthermore, torture was rarely employed: in 1-2% of the processes according to Jean Dumont, in 7-11% according to Bartolomé Bennassar.

It is surprising to learn that the majority of those accused withstood the torture and were, in consequence, acquitted. If the objective of the torturers was, as one might

think, to obtain admissions of guilt at any cost, one is forced to admit that they were going about it in the wrong way. One must ask himself if the questioning under threat of torture was not more of an ultimate means of defense offered to the accused, a kind of judicial test comparable to the "ordeal" of the Middle Ages. That is, in my opinion, an hypothesis which should be looked into.

The ordeal, or "*judgment of God*," was a judicial test of common usage up to about the year 1000. The accused proved his statements before the tribunal by the trial by fire, or of water or of the sword. In the first case, he held in his hands a burning coal; if his wounds were healed within a certain period of time, the tribunal concluded that his testimony had been true. In the second case, the accused was tied up and thrown into a large barrel of water; if he floated, which is the normal tendency because of the air in the lungs, the tribunal concluded that he had lied, but if he sank, at the risk of his life, it was because he had been telling the truth. Lastly, the trial by the sword put in opposition two knights representing two contradictory testimonies; victory indicated where the truth was to be found. The Church had always fought against the "ordeal", which was a superstitious procedure, inherited from the old Germanic pagan law.

The use of torture as a means of proof is shocking to the modern mentality, but it was already an advancement in relation to the "ordeal." One must not forget that questioning under torture was, at that time, employed much more frequently in criminal proceedings. Additionally, the Grand Inquisitor, St. John Capistran, forbade the usage of torture in inquisitorial proceedings in the 15th century, more than 300 years before King Louis XVI did the same for the criminal tribunals of France (although the Spanish Inquisition had re-established the use of it in the interim).

However that may be, and in spite of the use of torture, the inquisitorial procedure marks an advancement in the history of law. On the one hand, it definitively discarded the ordeal as a means of proof, in replacing it by the principle of testimonial proof, which still governs modern law to this day. On the other hand, it established the principle of the State as prosecutor. Up to that time, it was the victim who had to prove culpability, even in a criminal proceeding, and this was often difficult when the victim was weak and the criminal was powerful. But with the Inquisition, the victim is no more than a simple witness, as in the criminal proceedings of today. It was the ecclesiastical authority which had the burden of proof.

The number of heretics burned by the Inquisition has been greatly exaggerated. Juan Antonio Llorente is the originator of these imaginary numbers, which too many studies still refer to on this subject.¹⁸ Llorente was an apostate priest who put himself in the service of the Napoleonic occupation of Spain. After having calumniated the Inquisition, he destroyed the archives which would have been able to contradict him. Several historians still put forth inflated numbers based on anticlerical imagination.¹⁹ However, numbers of this order have been rejected since 1900 by Ernest Schafer and Alfonso Junco. Henceforth honest historians are in agreement in saying that the number of victims of the Spanish Inquisition was much less than is generally believed.²⁰ Jean Dumont speaks of about 400 executions during the 24 years of the

reign of Isabella the Catholic. That's few indeed in comparison to the 100,000 victims of the purge of "collaborators" in France from 1944-45, or the *tens of millions* killed by the Communists in Russia, China, and elsewhere.

Note also that those condemned to death were not always executed. Their sentences were sometimes commuted to time in prison, and they were then burned in effigy. Moreover, the condemned were not necessarily burned alive. If they showed a certain repentance, they were suffocated before being thrown on the pyre. Remember also that it was only the relapsed, that is to say those who fell back into heresy after having abjured it, who were condemned to death.

Some people are astonished that the Church, which elsewhere asks that we pardon our enemies, could have been able to impose the death penalty. Let us note at the outset that the duty of the public authority is not the same as that of the faithful. The duty of charity obliges the individual to pardon; even to pardon the criminal who may have killed one's dearest relatives. **But the State's primary duty of charity is to protect the public order, to defend the physical and spiritual well-being of its subjects.** If capital punishment is necessary to assure public security, the State or the Church can have recourse to it. The *Catechism of the Council of Trent* (chap. 33, §1) and the *Catechism of the Catholic Church* issued by John Paul II (art. 2266) recognize the [legitimacy of the death penalty](#).

St. Thomas Aquinas justified the execution of criminals in noting that the fear of death often facilitated their conversion. Indeed, prison chaplains can bear witness to the fact that during the era that hanging still existed as a punishment in Canada, it was rare to see one of the condemned mount the scaffold without being confessed by a priest. Thus, the temporal punishment of death allowed the criminal to avoid the eternal death penalty which is hell. In this way, the State was practicing true charity. To restore him to freedom, as is done today on the pretense of forgiveness, is to give the criminal the occasion of relapsing back into sin and losing his soul.

At any rate, the death penalty constituted less than 1% of the sentences pronounced by the Inquisition. Most of the time, the heretics were condemned to wearing the cross on their clothes, to making pilgrimages, to serving in the Holy Land or to undergoing a flagellation, often merely symbolic. Sometimes the tribunal confiscated their goods or imprisoned them. The inquisitorial prisons were not as terrible as has been claimed. They must even have been more comfortable than the common prisons, since some criminals admitted to heresy in order to be transferred to them. In addition, the heretics often benefited from amnesties. In 1495, Queen Isabella proclaimed a general pardon for all those whom the Inquisition had condemned.

The true history of the Inquisition does not correspond at all with the black legend spread by the enemies of the Church. Bartolomé Bennassar, who is no apologist for the Holy Office, wrote in *L'Inquisition espagnole, XVe-XIXe siècle*, (1979):

If the Spanish Inquisition had been a tribunal like the other tribunals, I would not hesitate to conclude, without fear of contradiction and despite preconceived ideas, that it was superior to them.... More efficient, there is no doubt; but also more precise and more scrupulous, in spite of the weaknesses of a certain number of judges who may have been proud, greedy or lecherous. A justice which practices a very attentive examination of the testimony, which carries out a meticulous cross-checking of it, which accepts without hesitation the defendant's challenges of suspect witnesses (and often for the slightest reason), a justice which rarely employs torture and which, unlike certain of the civil courts of justice, and which, after a quarter of a century of atrocious severity, hardly ever condemns to capital punishment and only very prudently administers the terrible punishment of the galleys. A justice anxious to educate, to explain to the accused why he was in error, which reprimands and counsels, and whose ultimate condemnations only affect the relapsed.

...(But) the Inquisition cannot be considered as a tribunal similar to the others. The Inquisition was not charged with protecting persons and property from the various aggressions they might undergo. It was created to prohibit a belief and a cult....²¹

Now we are at the heart of the matter. As an honest and competent historian, Bennassar cannot but reject the calumnies which have circulated for centuries on the subject of the Inquisition. But as a liberal and a relativist, he cannot accept the principle which was at the base of this institution —which is the power of religious restraint.

After all, the only thing that the liberals can still reproach the Inquisition for is having fought against the false religions. That is normal enough, since the liberals do not believe that the Catholic Church is the one way to salvation. They cannot comprehend the supernatural finality of the Inquisition.

However, those who have the Faith must convey a positive judgment on the Inquisition. In purging the Catholic Church in Spain of Marranos influence, the Holy Office saved Spain from Protestantism and spared her the horrors of a religious war similar to those which ravaged the greater part of Europe in the 16th century. Recall that a third of the German population perished during the numerous religious wars which took place between 1520 and 1648. If the burning of a few hundred heretics had enabled Spain to avoid such a conflict, one must conclude that the Holy Office performed a humanitarian act.

In addition, the Inquisition not only saved Spain, but the entire Church. In the 16th century, the Catholic world was on the brink of ruin, vehemently attacked by the Protestant revolution in the north and the expansion of the Ottoman Turks in the east. France, immersed in a civil war, could no longer protect the Church. It was Spain which saved Christianity, most particularly at the time of the battle of Lepanto in 1571.

At the interior level, the Counter-Reformation was also a Spanish work; and if Spanish Catholicism was able to play such a beneficial role in the 16th century, it was

because the Inquisition had defended its doctrinal integrity in the 15th. Today, the Church and society would perhaps not be in such a lamentable condition if there had been, in the 19th and 20th centuries, an Inquisition to protect us from the modern heresies.

Certainly one must not propose the re-establishment of the Inquisition. Now it is too late. The Inquisition can only be effective in a society which is already profoundly Christian. It is a defensive weapon, which is of no use in restoring the world to the Faith. Today's Church is at the stage of the *Reconquista*.

But if there is not occasion to restore the Inquisition, one must certainly rehabilitate it in the eyes of history. With all due deference to those who love to see the Church disparage itself, Catholics have nothing to be ashamed of in the past work of this holy tribunal.

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FOOTNOTES

1. Voltaire, "Inquisition," *Dictionnaire philosophique*, dans *Oeuvres complètes*, t.VII, Paris, Ed. Th. Desoer, 1818, pp.1309-1319.
2. Pope John Paul II, *Tertio Millennio Adveniente*, Montréal, Ed. Médiaspaul, 1994, §35, p.43.
3. A sect of the period, also referred to as the "Illuminati."
4. De Maistre, Joseph, "Lettres à un gentilhomme russe sur l'Inquisition espagnole," *Oeuvres complètes*, t.VII, Brussels, Éd. Société Nationale, 1838, pp.283-391; Morel, Jules, "Lettres à M. Louis Veuillot sur l'Inquisition moderne d'Espagne," *Incartades libérales de quelques auteurs catholiques*, Paris, Éd. Victor Palmé, 1869, pp.31-241.
5. Dumont, Jean, *L'Église au risque de l'Histoire*, Limoges, Éd. Critérion, 1984, pp.171-231, and pp.343-413; *L'Incomparable Isabelle la Catholique*, Paris, Éd. Critérion, 1992, pp.79-110.
6. Testat, Guy et Jean, *L'Inquisition*, Paris, Éd. PUF, collection "Que sais-je?", 1966, 126 pp.; Guiraud, Jean, *L'Inquisition médiévale*, Paris, Librairie Jules Tallandier, 1978, 238 pp.; Bennassar, Bartolomé, *L'Inquisition espagnole XVe-XIXe siècles*, Paris, Éd. Hachette, 1979, 397 p.
7. Choupin, L., "Hérésie," *Dictionnaire apologétique de la foi catholique*, t. II, 1911, pp.442-457.
8. Ottaviani, Alfredo, *L'Église et la Cité*, Rome, Imprimerie polyglotte vaticane, 1963, 309 pp.
9. See Acts 13:8-12.
10. Guiraud, Jean, "Inquisition," DARC, t. II, 1911m, col. 823-890; Vacandar, E., "Inquisition," DTC, t.VII, col. 2016-2068.
11. The Catholic historian does even more: He judges the facts by the light of Catholic principles. On this question, see Dom Guéranger, "Le Sens chrétien de l'histoire" (*Le Sel de la terre*, 22, p.176).
12. For example, Hefelé, *Le Cardinal Ximenes*, Paris Librairie Poussielgue-Rusand, 1856, 588 pp.
13. Vernet, F., "Albiges et Cathares," *Dictionnaire de théologie catholique*, t.I, pp.1987-1999.
14. Léa, Henri-Charles, *Histoire de l'Inquisition au Moyen Age*, Paris, Éd. Jérôme Millon, 1986, 3 vols.
15. Cervantes, *Don Quixote*, Book I, chap.21.
16. Shylock: a Jewish usurer in Shakespeare's comedy *The Merchant of Venice*.
17. Roch, Cecil, *Histoire des Marranes*, Paris, Éd. Liana Lévi, 1990.
18. Llorente, Juan Antonio, *Historia critica de la Inquisicion en Espana*, Madrid, Éd. Hiperion, 1981, (1st edition, 1822) 4 vols.
19. For example, among contemporary historians, Pierre Dominique asserts that the Spanish Inquisition condemned 178,382 persons of whom 16,376 were burned alive. [*L'Inquisition*. Paris, Ed. Perrin, 1969]; Henry Kamen puts it up to 341,021 the number of condemnations, of whom 31,912 were burned [*Histoire de l'Inquisition espagnole*, Paris, Éd. Albin Michel, 1966]. Note that Kamen revised these figures downwards in a later edition of his book (1966, pp.298-299).
20. Junco, Alfonso, *Inquisicion sobre la Inquisicion*, Mexico, Editorial Jus, 1959, pp.37-51.
21. Bennassar, Bartolomé, *L'Inquisition espagnole XVe-XIXe siècle*, Paris, Éd. Hachett, 1979, pp.389-390.